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Bahamas - The

Food and Agricultural Import Regulations and Standards - Narrative

FAIRS Country Report

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Report Highlights:

Section(s) Updated: Sections I, II, IV, V, VII, IX, and Appendix I

The Bahamas is very receptive to U.S. products. With the overwhelming majority of food and agricultural products being sourced from the United States, the Bahamas recognizes and accepts U.S. standards for food and agricultural products. Import permits are required for many perishables, but these permits are easily obtained from relevant authorities.

Section I. Food Laws:

NOTE: This report was prepared by the Caribbean Basin Agricultural Trade Office of the USDA/ Foreign Agricultural Service in Miami, Florida for U.S. exporters of domestic food and agricultural

products. While every possible care was taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped. FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.

Approximately 95 percent of all agricultural, fish and forestry products imported by The Bahamas come from the United States. The Bahamas recognizes and accepts the U.S. standards for practically all food and agricultural products. The Bahamian Food Act of 1985 is the principal legislative piece governing food products. The law itself is not very extensive, but it provides the basic framework for the regulation of both domestically produced and imported foods and their use. Other legal instruments governing imports of food and agricultural products include the Animal Protection Act and the Plant Protection Act.

Most of the regulatory responsibility for food safety falls under the Department of Agriculture, a dependency of the Ministry of Agriculture and Marine Resources. However, there are some areas of shared responsibility with the Ministry of Health and to a lesser extent with the Ministry of the Environment's Department of Environmental Health Services. These areas of shared responsibility are still in the process of being worked out by the different agencies involved. However, the Department of Agriculture remains the lead regulatory agency when it comes to imported food products. The Department of Agriculture regulates imports of certain products by requiring importers to obtain an import permit for each shipment of the following products: fresh produce and plants (fruits, vegetables, plants, flowers, sod, propagative material), live animals, fresh milk, eggs and fresh, frozen and unprocessed meat of poultry, pork and mutton. The Fisheries Division issues the import permits for seafood products. Import permits can usually be obtained within 48 hours.

Phytosanitary certificates from the country of origin must accompany imported fresh produce and plants. Live animals must be accompanied by health certificates. The Bahamas has no quarantine facilities. The Bahamas Department of Agriculture is the main regulating agency for meat and dairy products. However, the Department of Environmental Health Services also has some shared responsibilities in this area. However, because of their confidence in the meat inspection procedures in the United States, U.S. meat products are usually not subject to inspection. When food-related health threats arise, the regulating agencies will monitor imports and work with local distributors to ensure that affected products are removed from the distribution system. Occasionally, items may be banned or duties increased if the government decides that imports are competing unfairly with local production or may pose a phytosanitary threat. For example, in the past import licenses for chicken leg quarters have been restricted in response to complaints from local processors, and citrus fruit from Florida is prohibited due to the citrus canker outbreak.

Section II. Labeling Requirements:

Bahamian labeling requirements are quite broad and deal mainly in general terms with protecting consumers from false product descriptions and misleading information regarding the nature, substance or quantity of foods. New, more specific labeling requirements are beginning to be

developed and may become reality in the near future. Until now, The Bahamas fully accepts all standard U.S. labeling including the standard U.S. nutritional fact panel. Meat and poultry products from the United States must have the USDA inspection seal and must be from a federally inspected U.S. facility.

Section III. Packaging and Container Regulations:

No special packaging or container sizes are required or preferred. Packaging materials which meet U.S. standards are accepted.

Section IV. Food Additives Regulations:

The Bahamas accepts the U.S. standards for food additives and the internationally accepted Codex list of approved additives. The Bahamas does not maintain its own positive or negative list of additives.

Section V. Pesticides and Other Contaminants:

Local authorities do not really have their own regulations on pesticide and other contaminant residues in foods. Instead, they rely on U.S. maximum residue limits (MRL's) and tolerance levels for pesticides as well as on Codex MRL's. Pesticide registration is not required. For the most part, authorities will follow U.S. standards, particularly those relating to pesticide use in the State of Florida.

Section VI. Other Regulations and Requirements:

Products are not required to be registered or laboratory tested. Retail prices are monitored by the Prices Commission. Although no duties are normally assessed on product samples, a value must be shown on the export documentation. Import permits are required for samples of meat products.

Section VII. Other Specific Standards:

No other major standards currently impact U.S. food and agricultural products. The Bahamas follows U.S. standards for organic foods, food and feed ingredients, dietetic and special use foods, infant formula and baby foods.

A formal Customs entry is required for clearance of commercial shipments imported via parcel post, air or sea. Commercial goods imported by parcel post with a value of less than \$500 require no Customs entry.

Section VIII. Copyright and/or Trademark Laws:

The Bahamas' Trade Marks Act, Copyright Act and Copyright Regulations protect trademarks and brand names. Trademarks are registered on a renewable basis by the office of the Registrar General for a period of fourteen years. See Appendix I for contact information.

Section IX. Import Procedures:

All importers must possess a valid business license issued by the Ministry of Finance. Bahamian importers are very knowledgeable of the import requirements and clearance procedures and are essential in guiding U.S. exporters through the process. The customs clearance procedure is generally efficient and focused on customer service. Bahamian law allows the importer to begin the import clearance of goods before arrival in the Bahamas using standard shipping documents. Depending on the size and nature of the shipment, the clearance process can take as little as an hour and normally no longer than 24 hours.

When a shipment arrives into The Bahamas, the importer or licensed Customs broker designated by the owner or consignee, will file entry documents for the goods with the Customs Department at the port of entry. The importer/broker is required to present a completed customs declaration form. The majority of goods imported in The Bahamas are entered on form C-13 (Home Consumption Entry). The goods are not legally entered until after the shipment has arrived at the port of entry, delivery of the merchandise has been authorized by Customs, and estimated duties have been paid. It is the responsibility of the importer/broker to arrange for the proper declaration and payment of the proper amount of duty prior to the examination and release of goods.

For most food items, three important documents are generally required: a) the commercial invoice; b) the sanitary or phytosanitary health permit from the country of origin; and c) the import permit issued by the Bahamas Department of Agriculture or other relevant Bahamian authority. In some cases, the import permit will specify additional documentation required for import. With all relevant documents attached, the customs declaration entry form is prepared and presented to the Customs Officer for review and entry. The Customs Officer may require the importer to produce further information or documentation relevant to the shipment before the duty is collected.

Where proper security has been lodged and agreement for random check of the importer's records has been made, a security bond can be executed to permit immediate release of the goods. In fact, importers of perishables usually establish a "security bond" through their bank from which Customs can automatically deduct duties, further expediting the clearance process.

The Bahamas has no formal Customs appeals process per se. Any disputes or discrepancies are generally resolved directly with Customs Department at the time of entry. See Appendix I for contact information.

Appendix I. Government Regulatory Agency Contacts:

A. Key Regulatory Contacts

FOR GENERAL FOOD IMPORT REGULATIONS, CONTACT:

Department of Agriculture
Ministry of Agriculture & Marine Resources
Levy Building
P.O. Box N 3028
Nassau, Bahamas
Tel: 1 (242) 325-7502/9, (242) 325-7438
Fax: 1 (242) 325-3960, (242) 356-3919

FOR INFORMATION ON LIVE ANIMAL AND ANIMAL PRODUCT IMPORTS, CONTACT:

Veterinary Service
Department of Agriculture
Ministry of Agriculture & Marine Resources
Tel: 1 (242) 325-7502/9, 325-1173
Fax: 242-325-3960

Department of Environmental Health Services
Ministry of the Environment
Farrington Road
P. O. Box SS 19048
Nassau, The Bahamas
Tel: 1 (242) 322-8037
Fax: 1 (242) 322-8118 / 8120

FOR INFORMATION ON LIVE PLANT AND PLANT PRODUCT IMPORTS, CONTACT:

Plant Inspectorate Unit
The Department of Agriculture
Ministry of Agriculture & Marine Resources
Levy Building
P.O. Box N 3028
Nassau, Bahamas
Tel: 1 (242) 325-7502/9, (242) 325-7438
Fax: 1 (242) 325-3960, (242) 356-3919

FOR INFORMATION ON SEAFOOD IMPORTS, CONTACT:

Department of Marine Resources
Ministry of Agriculture & Marine Resources
Tel: (242) 393-1777
Fax: (242) 393-0238
E-mail: fisheries@bahamas.gov.bs

FOR INFORMATION ON CUSTOMS PROCEDURES & DUTIES, CONTACT:

The Bahamas Customs Department
Customs House
Thompson Blvd., P.O. Box N-155
Nassau, The Bahamas
Tel: 1 (242) 302-3317, 325-6551 thru 5
Fax: 1 (242) 302-3571, 322-6223
E-mail: customsgeneral@bahamas.gov.bs

FOR INFORMATION ON TRADEMARK REGISTRATION, CONTACT:

Companies & Intellectual Properties Section
The Registrar General's Department
Office of the Attorney General and Ministry of Legal Affairs
Apsley House
75 Frederick Street

Nassau, The Bahamas
Tel: 1 (242) 322-3316 to18
Fax: 1 (242) 323-7908, 322-5553
E-mail: registrargeneral@bahamas.gov.bs

B. Useful Bahamian Government Websites

The websites below are provided for the readers' convenience; USDA does NOT in any way endorse, guarantee the accuracy of, or necessarily concur with the information contained in such websites.

1. <http://laws.bahamas.gov.bs/>

The Bahamas Laws On-line database contains consolidated laws which are current up to April, 2002 as well as selected Acts and Statutory Instruments from 2002 onwards.

2. <http://www.bahamas.gov.bs/customs>

The Bahamas Customs Department website contains information on Customs clearance procedures and provides access to the on-line tariff schedule.

3.

<http://www.bahamas.gov.bs/bahamasweb2/home.nsf/vContentW/356C5F1011AA0C38852575B600584CBA>

The Bahamas On-line Tariff Schedule. To verify that duty rates contained on this site are current, contact The Bahamas Customs Department (see Appendix I A above).

4.

<http://www.bahamas.gov.bs/bahamasweb2/home.nsf/vContentW/7647F9142A05BB8F8525700D0050CFE1>

This site provides information on intellectual property protection in The Bahamas, including answers to frequently asked questions regarding trademark registration.

Appendix II. Other Import Specialist Contacts:

Caribbean Basin Agricultural Trade Office
Foreign Agricultural Service
U.S. Department of Agriculture
909 SE 1st Avenue, Suite 720
Miami, FL 33131
Tel: (305) 536-5300
Fax: (305) 536-7577
E-mail: atocaribbeanbasin@fas.usda.gov
Website: www.cbato.fas.usda.gov

Sarah Hanson, Director
E-mail: sarah.hanson@fas.usda.gov

Omar Gonzalez, Ag. Mktg. Specialist
E-mail: omar.gonzalez@fas.usda.gov

Graciela Juelle, Ag. Mktg. Assistant
E-mail: grace.juelle@fas.usda.gov

